

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

TOM MAGNAFICI,

Plaintiff,

v.

Case No. 3:21-cv-8

TOWN OF OSCEOLA,

Defendant.

STIPULATION OF PARTIAL DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Tom Magnafici ("**Plaintiff**"), and Defendant Town of Osceola ("**Defendant**"), through their respective undersigned attorneys, do hereby stipulate to the entry of an Order dismissing Count III, Intentional Infliction of Emotional Distress, and Count IV, Civil Conspiracy, of Plaintiff's Complaint with prejudice. Plaintiff and Defendant stipulate that all other causes of action in Plaintiff's Complaint shall not be dismissed pursuant to this Stipulation.

The Parties shall bear their own attorney's fees and costs and shall not be entitled to tax any costs or disbursements with regard to this stipulation. The Court may enter an order to this effect without hearing or further notice to the Parties. The Parties waive their respective rights of appeal as to any Order of Dismissal or Judgment of Dismissal with regard to Count III, Intentional Infliction of Emotional

Distress, and Count IV, Civil Conspiracy, of Plaintiff's Complaint with prejudice entered upon the foregoing stipulation.

Dated: March 26, 2021

TREPANIER MACGILLIS BATTINA, P.A.

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Dated: March 26, 2021

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